

partment of Justice, transmitting a report of the Bureau of Justice Assistance entitled, "Fiscal Year 1996 Annual Report to Congress," pursuant to 42 U.S.C. 3711; to the Committee on the Judiciary.

8810. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes [Docket No. 97-CE-46-AD; Amendment 39-10475; AD 98-08-26] (RIN: 2120-AA64) received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8811. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Helicopter Systems Model 369(YOH-6A), 369A (OH-6A), 369D, 369E, 369F, 369FF, 369H, 369HE, 369HM, 369HS, and 500N Helicopters [Docket No. 97-SW-52-AD; Amendment 39-10481; AD 98-09-02] (RIN: 2120-AA64) received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8812. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Alexander Schleicher Segelflugzeugbau Model ASK 21 Sailplanes [Docket No. 97-CE-108-AD; Amendment 39-10478; AD 98-08-29] (RIN: 2120-AA64) received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8813. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Model PC-12 Airplanes [Docket No. 97-CE-98-AD; Amendment 39-10367; AD 98-05-06] (RIN: 2120-AA64) received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8814. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Porterville, CA [Airspace Docket No. 98-AWP-2] received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8815. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Delano, CA [Airspace Docket No. 98-AWP-5] received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8816. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; Santa Barbara Channel, CA [COTP Los Angeles-Long Beach, CA; 98-002] (RIN: 2115-AA97) received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8817. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; Fleet Week 1998 Parade of Ships, Port of New York and New Jersey [CGD01-98-026] (RIN: 2115-AA97) received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8818. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; Los Angeles Harbor; San Pedro Bay, CA [COTP Los Angeles-Long Beach, 97-007] (RIN: 2115-AA97) received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8819. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone;

Atlantic Ocean, Vicinity of Cape Henlopen State Park, DE [CGD 05-98-008] (RIN: 2115-AA97) received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8820. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Pilot, Flight Instructor, Ground Instructor, and Pilot School Certification Rules; Clarifying amendments and other editorial changes [Docket No. 25910; Amendment Nos. 61-104 and 141-10] (RIN: 2120-AE71) received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8821. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Disaster Assistance; Public Assistance Program Appeals; Hazard Mitigation Grant Program Appeals (RIN: 3067-AC67) received April 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8822. A letter from the Secretary of Transportation, transmitting the Department's fourth annual report on the activities of the Department regarding the guarantee of obligations issued to finance the construction, reconstruction, or reconditioning of eligible export vessels, pursuant to section 1111 (b)(4) of the Merchant Marine Act of 1936, as amended; to the Committee on Transportation and Infrastructure.

8823. A letter from the Secretary of Energy, transmitting a detailed progress review of the research and development authorized under the Act, pursuant to Public Law 101-425, section 10 (104 Stat. 919); to the Committee on Science.

8824. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Establishment of the Yorkville Highlands Viticultural Area and Realignment of the Southern Boundary of the Mendocino Viticultural Area [T.D. ATF-397; RE: Notice No. 854] (RIN: 1512-AA07) received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8825. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Application of tax on sales of special motor fuel for use in motor vehicles and motorboats [Revenue Ruling 98-24] received April 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8826. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a determination that Israel is not being denied its right to participate in the activities of the International Atomic Energy Agency; jointly to the Committees on International Relations and Appropriations.

8827. A letter from the Secretary of Housing and Urban Development, transmitting a report on the status of Departmental efforts to disseminate building technology research to the HUD program grantees; jointly to the Committees on Transportation and Infrastructure and Appropriations.

8828. A letter from the Under Secretary for Export Administration, National Institute of Standards and Technology, transmitting the Institute's final rule—Procedures For Implementation Of The Fastener Quality Act [Docket Number: 970724177-8057-02] (RIN: 0693-AB43) received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Science and Commerce.

8829. A letter from the Secretary of Health and Human Services, transmitting the Service's final rule—Medicare Program; Definition of Provider-Sponsored Organization and Related Requirements [HCFA-1027-IFC] (RIN: 0938-AI60) received April 15, 1998, pur-

suant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

8830. A letter from the Secretary of Health and Human Services, transmitting the Service's "Major" final rule—Medicare Program; Schedule of Per-Beneficiary Limitations on Home Health Agency Costs for Cost Reporting Periods [Docket No. HCFA-1905-FC] (RIN: 0938-AI84) received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

#### ¶36.4 PROVIDING FOR THE CONSIDERATION OF H.R. 3717

Mr. SOLOMON, by direction of the Committee on Rules, called up the following resolution (H. Res. 409):

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3717) to prohibit the expenditure of Federal funds for the distribution of needles or syringes for the hypodermic injection of illegal drugs. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) two hours of debate on the bill equally divided and controlled by Representative Wicker of Mississippi or his designee and a Member opposed to the bill; and (2) one motion to recommit.

When said resolution was considered. After debate,

On motion of Mr. SOLOMON, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

#### ¶36.5 PROHIBIT FEDERAL FUNDS FOR NEEDLE DISTRIBUTION

Mr. WICKER, pursuant to House Resolution 409, called up the bill (H.R. 3717) to prohibit the expenditure of Federal funds for the distribution of needles or syringes for the hypodermic injection of illegal drugs.

When said bill was considered and read twice.

After debate,

Pursuant to House Resolution 409, the previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read a third time by title.

Ms. PELOSI moved to recommit the bill to the Committee on Commerce with instructions to report the bill back to the House forthwith with the following amendment:

Page 2, line 8, insert before the period the following: " , unless the Governor, State health officer, or local municipal health authority determines that the use of Federal funds for such a program would reduce the rate of transmission of the human immunodeficiency virus (commonly known as HIV), would not encourage the use of illegal drugs, and is acceptable to the affected State, city or other unit of local government, or community".

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,  
Will the House recommit said bill  
with instructions?

The SPEAKER pro tempore, Mr.  
FOLEY, announced that the nays had  
it.

Ms. PELOSI demanded a recorded  
vote on agreeing to said motion, which  
demand was supported by one-fifth of a  
quorum, so a recorded vote was or-  
dered.

The vote was taken by electronic de-  
vice.

It was decided in the { Yeas ..... 149  
negative ..... Nays ..... 277

¶36.6

[Roll No. 113]

AYES—149

Abercrombie	Hefner	Oberstar
Ackerman	Hilliard	Obey
Allen	Hinche	Olver
Baldacci	Hinojosa	Owens
Barrett (WI)	Hooley	Pallone
Becerra	Hoyer	Pastor
Berman	Jackson (IL)	Payne
Blagojevich	Jackson-Lee	Pelosi
Blumenauer	(TX)	Pomeroy
Boehlert	Jefferson	Price (NC)
Bonior	Johnson (CT)	Rangel
Borski	Johnson, E. B.	Reyes
Boyd	Kanjorski	Rivers
Brown (CA)	Kennedy (MA)	Rodriguez
Brown (FL)	Kennedy (RI)	Rothman
Brown (OH)	Kennelly	Roybal-Allard
Campbell	Kilpatrick	Rush
Capps	Klink	Sabo
Cardin	Kolbe	Sanchez
Carson	Kucinich	Sanders
Clay	Lantos	Sawyer
Clayton	Lee	Schumer
Clyburn	Levin	Scott
Conyers	Lewis (GA)	Serrano
Coyne	Lofgren	Shays
Cummings	Lowey	Sherman
Davis (IL)	Maloney (CT)	Skaggs
DeFazio	Maloney (NY)	Slaughter
DeGette	Manton	Smith, Adam
Delahunt	Markey	Snyder
DeLauro	Martinez	Stabenow
Deutsch	Matsui	Stark
Dicks	McCarthy (MO)	Stokes
Dingell	McCarthy (NY)	Stupak
Doggett	McDermott	Thompson
Dooley	McGovern	Thurman
Engel	McHale	Tierney
Eshoo	McKinney	Torres
Evans	Meehan	Towns
Farr	Meek (FL)	Velazquez
Fattah	Meeks (NY)	Vento
Fazio	Menendez	Waters
Filner	Millender-	Watt (NC)
Frank (MA)	McDonald	Waxman
Furse	Miller (CA)	Wexler
Gejdenson	Mink	Weygand
Gephardt	Moakley	Woolsey
Greenwood	Moran (VA)	Wynn
Gutierrez	Morella	Yates
Harman	Nadler	
Hastings (FL)	Neal	

NOES—277

Aderholt	Boswell	Cooksey
Andrews	Boucher	Costello
Archer	Brady	Cox
Armey	Bryant	Cramer
Bachus	Bunning	Crane
Baessler	Burr	Crapo
Baker	Burton	Cubin
Ballenger	Buyer	Cunningham
Barcia	Callahan	Danner
Barrett (NE)	Calvert	Davis (FL)
Bartlett	Camp	Davis (VA)
Barton	Canady	Deal
Bass	Cannon	DeLay
Bentsen	Castle	Diaz-Balart
Bereuter	Chabot	Dickey
Berry	Chambliss	Doolittle
Bilbray	Chenoweth	Doyle
Bilirakis	Christensen	Dreier
Bishop	Clement	Duncan
Bliley	Coble	Dunn
Blunt	Coburn	Edwards
Boehner	Collins	Ehlers
Bonilla	Combest	Ehrlich
Bono	Condit	Emerson

English	Klug	Riggs
Ensign	Knollenberg	Riley
Etheridge	LaFalce	Roemer
Everett	LaHood	Rogan
Ewing	Lampson	Rogers
Fawell	Largent	Rohrabacher
Foley	Latham	Ros-Lehtinen
Forbes	LaTourette	Roukema
Ford	Lazio	Royce
Fossella	Leach	Ryun
Fowler	Lewis (CA)	Salmon
Fox	Lewis (KY)	Sanford
Franks (NJ)	Linder	Saxton
Frelinghuysen	Lipinski	Scarborough
Frost	Livingston	Schaefer, Dan
Gallegly	LoBiondo	Schaffer, Bob
Ganske	Lucas	Sensenbrenner
Gekas	Luther	Sessions
Gibbons	Manzullo	Shadegg
Gilchrest	Mascara	Shaw
Gillmor	McCollum	Shimkus
Gilman	McCrery	Shuster
Gingrich	McDade	Sisisky
Goode	McHugh	Skeen
Goodlatte	McInnis	Skelton
Goodling	McIntosh	Smith (MI)
Gordon	McIntyre	Smith (NJ)
Goss	McKeon	Smith (TX)
Graham	McNulty	Smith, Linda
Granger	Metcalf	Snowbarger
Green	Mica	Solomon
Gutknecht	Miller (FL)	Souder
Hall (OH)	Minge	Spence
Hall (TX)	Mollohan	Spratt
Hamilton	Moran (KS)	Stearns
Hansen	Murtha	Stenholm
Hastert	Myrick	Strickland
Hastings (WA)	Nethercutt	Stump
Hayworth	Neumann	Sununu
Hefley	Ney	Talent
Herger	Northup	Tanner
Hill	Norwood	Tauscher
Hilleary	Nussle	Tauzin
Hobson	Ortiz	Taylor (MS)
Hoekstra	Oxley	Taylor (NC)
Holden	Packard	Thomas
Horn	Pappas	Thornberry
Hostettler	Parker	Thune
Houghton	Pascrell	Tiahrt
Hulshof	Paul	Trafficant
Hunter	Paxon	Turner
Hutchinson	Pease	Upton
Hyde	Peterson (MN)	Visclosky
Inglis	Peterson (PA)	Walsh
Istook	Petri	Wamp
Jenkins	Pickering	Watkins
John	Pickett	Watts (OK)
Johnson (WI)	Pitts	Weldon (FL)
Johnson, Sam	Pombo	Weldon (PA)
Jones	Porter	Weller
Kaptur	Portman	White
Kasich	Poshard	Whitfield
Kelly	Pryce (OH)	Wicker
Kildee	Quinn	Wise
Kim	Radanovich	Wolf
Kind (WI)	Rahall	Young (AK)
King (NY)	Ramstad	Young (FL)
Kingston	Redmond	
Klecza	Regula	

NOT VOTING—7

Barr	Dixon	Smith (OR)
Bateman	Gonzalez	
Cook	Sandlin	

So the motion to recommit with in-  
structions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr.  
FOLEY, announced that the yeas had  
it.

Mr. WICKER demanded a recorded  
vote on passage of said bill, which de-  
mand was supported by one-fifth of a  
quorum, so a recorded vote was or-  
dered.

The vote was taken by electronic de-  
vice.

It was decided in the { Yeas ..... 287  
affirmative ..... Nays ..... 140

¶36.7

[Roll No. 114]

AYES—287

Aderholt	Gilman	Oxley
Andrews	Gingrich	Packard
Archer	Goode	Pallone
Armey	Goodlatte	Pappas
Bachus	Goodling	Parker
Baessler	Gordon	Pascrell
Baker	Goss	Paul
Baldacci	Graham	Paxon
Ballenger	Granger	Pease
Barcia	Green	Peterson (MN)
Barrett (NE)	Gutknecht	Peterson (PA)
Bartlett	Hall (OH)	Petri
Barton	Hall (TX)	Pickering
Bass	Hamilton	Pickett
Bentsen	Hansen	Pitts
Bereuter	Hastert	Pombo
Berry	Hastings (WA)	Pomeroy
Bilbray	Hayworth	Porter
Bilirakis	Hefley	Portman
Bishop	Hefner	Poshard
Blagojevich	Herger	Price (NC)
Bliley	Hill	Pryce (OH)
Blunt	Hilleary	Quinn
Boehner	Hobson	Radanovich
Bonilla	Hoekstra	Rahall
Bono	Holten	Ramstad
Boswell	Horn	Redmond
Boucher	Hostettler	Regula
Boyd	Houghton	Reyes
Brady	Hulshof	Riggs
Bryant	Hunter	Riley
Bunning	Hutchinson	Rodriguez
Burr	Hyde	Roemer
Burton	Inglis	Rogan
Buyer	Istook	Rogers
Callahan	Jenkins	Rohrabacher
Calvert	John	Ros-Lehtinen
Camp	Johnson (WI)	Roukema
Canady	Johnson, Sam	Royce
Cannon	Jones	Ryun
Castle	Kaptur	Salmon
Chabot	Kasich	Sanchez
Chambliss	Kelly	Sanford
Chenoweth	Kildee	Saxton
Christensen	Kim	Scarborough
Clement	Kind (WI)	Schaefer, Dan
Coble	King (NY)	Schaffer, Bob
Coburn	Kingston	Sensenbrenner
Collins	Klecza	Sessions
Combest	Klink	Shadegg
Condit	Klug	Shaw
Cook	Knollenberg	Shimkus
Costello	LaFalce	Shuster
Cox	LaHood	Sisisky
Cramer	Lampson	Skeen
Crane	Largent	Skelton
Crapo	Latham	Smith (MI)
Cubin	LaTourette	Smith (NJ)
Cunningham	Lazio	Smith (TX)
Danner	Leach	Smith, Linda
Davis (FL)	Lewis (KY)	Snowbarger
Davis (VA)	Linder	Solomon
Deal	Lipinski	Souder
DeLay	Livingston	Spence
Diaz-Balart	LoBiondo	Spratt
Dickey	Lucas	Stearns
Doolittle	Luther	Stenholm
Doyle	Manzullo	Strickland
Dreier	Mascara	Stump
Duncan	McCarthy (MO)	Stupak
Dunn	McCollum	Sununu
Edwards	McCrery	Talent
Ehlers	McDade	Tanner
Ehrlich	McHugh	Tauscher
Emerson	McInnis	Tauzin
English	McIntosh	Taylor (MS)
Ensign	McIntyre	Taylor (NC)
Etheridge	McKeon	Thomas
Everett	McNulty	Thomas
Ewing	Metcalf	Thornberry
Fawell	Mica	Thune
Forbes	Miller (FL)	Tiahrt
Ford	Minge	Trafficant
Fossella	Mollohan	Turner
Fowler	Moran (KS)	Upton
Fox	Murtha	Visclosky
Franks (NJ)	Myrick	Walsh
Frelinghuysen	Nethercutt	Wamp
Frost	Neumann	Watkins
Gallegly	Ney	Watts (OK)
Gekas	Northup	Weldon (FL)
Gibbons	Norwood	Weldon (PA)
Gilchrest	Nussle	Weller
Gillmor	Ortiz	White